

Message Text

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ORIGIN IO-14

INFO OCT-01 ARA-16 ISO-00 CIAE-00 DODE-00 PM-07 H-03

INR-11 L-03 NSAE-00 NSC-07 PA-04 RSC-01 PRS-01 SP-03

SS-20 USIA-15 AF-10 EA-11 EUR-25 NEA-14 /166 R

DRAFTED BY IO/UNP:VFHARTLEY:BKM

APPROVED BY IO:WBBUFFUM

L/UNA:RSTOWE

ARA/LA/USOAS:GMONSMA

IO/UNP:JABAKER

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R 211757Z AUG 74

FM SECSTATE WASHDC

TO AMEMBASSY MEXICO

C O N F I D E N T I A L STATE 183346

E.O. 11652: GDS

TAGS: PFOR, UNICJ, US, MX

SUBJECT: REVISION OF ICJ STATUTE

1. IN RECENT CONVERSATION WITH IO ASST. SECRETARY BUFFUM, DIR. GENERAL INTERNATIONAL ORGANIZATIONS GONZALEZ COMMENTED ON APPARENT INCONSISTENCY BETWEEN US OPPOSITION TO UN CHARTER REVISION AND US SUPPORT FOR REVISION ICJ STATUTE. THIS OBSERVATION SEEMS REFLECT SOME MISUNDERSTANDING WITH RESPECT US POSITION ON LATTER, AND EMBASSY AT ITS DISCRETION SHOULD SEEK CLARIFY ALONG FOLLOWING LINES:

A. THOUGH GA AGENDA ITEM ON "REVIEW OF ROLE OF ICJ" RESULT OF US INITIATIVE AT 25TH GA, US MADE CLEAR AT TIME IT HAD NO PRECONCEIVED IDEAS ON RESULTS OF PROPOSED REVIEW BUT WAS CONCERNED OVER LITTLE USE OF ICJ IN RECENT YEARS. FURTHERMORE, IN SUBSEQUENT DISCUSSION THIS ITEM AND IN ITS RESPONSE TO 25TH GA REQUEST FOR VIEWS OF MEMBER STATES, US HAS FOCUSED PRIMARILY ON POSSIBLE ORGANIZATIONAL AND PROCEDURAL CHANGES AND HAS AVOIDED SUGGESTIONS THAT, IN
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US VIEW, WOULD NECESSARILY REQUIRE STATUTE AMENDMENT,

WITHOUT, HOWEVER, DEFINITELY PRECLUDING AMENDMENT SHOULD
THIS BE INDICATED AS RESULT REVIEW.

B. FYI. GA HAS NEVER ACCEPTED US PROPOSAL THAT AD HOC
COMMITTEE BE ESTABLISHED TO UNDERTAKE SYSTEMATIC REVIEW
AND THOUGH ITEM REMAINS ON GA AGENDA, EARLY GA ACTION TO
THIS END APPEARS UNLIKELY. IN MEANTIME, ICJ ITSELF HAS
REVISED ITS RULES AND AT LAST GA THERE GENERAL DISPOSITION
AMONG THOSE FAVORABLE TO REVIEW TO DEFER ANY DECISION
UNTIL ICJ EXPERIENCE UNDER ITS REVISED RULES COULD BE
JUDGED. END FYI. KISSINGER

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